

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MELINDA S. PACHECO,

Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

CASE NO. C06-5407RBL

ORDER

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge, and objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) the ALJ erred as described in the report;
- (3) the matter is therefore REMANDED to the commissioner for further consideration as directed in the report; and
- (4) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel and Magistrate Judge J. Kelley Arnold.

DATED this 9<sup>th</sup> day of March, 2007.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE